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PATENT  
SD7332S100398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roesler et al

Group No.: 3729

Serial No.: 10 / 817,007

Examiner: Tugbang, A.

Filed: April 1, 2004

Paper No.: 20061026

For: Method for Forming Permanent Magnets with Different Polarities for Use in  
Microelectromechanical Devices

**RESPONSE TO REQUIREMENT FOR RESTRICTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office in the Restriction Requirement dated October 12, 2006 has required a restriction to one of the following species of the claimed inventions:

Species A: Figures 5A - 5K.

Species B: Figures 10A - 10C.

Species C: Figures 11A - 11C.

Note that Species A above is not a species of the claimed invention - i.e. none of the claims read on Species A. Species A, Figures 5A-5K describes a process for forming a plurality of permanent magnets with two different north-south magnetic pole alignments which does not require the use of a heating step which is a requirement of Claims 1-36. Instead, in Figs. 5A-5K a soft magnetic material 36 is alternated with a plurality of rare-earth permanent magnets 18, with the soft magnetic material 36 being magnetized oppositely to the rare-earth permanent magnets 18 by the magnetic field of the rare-earth permanent magnets 18. This is disclosed in lines 2-21 on page 18.

Applicants respectfully submit that species B and C above are the only species of the claimed invention. Claims 1-5, 7-12, 17-24, 26-28 and 31 are generic to Species B and C above. In view of the large number of generic claims Applicants respectfully request reconsideration of the Restriction Requirement.

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In response to the requirement for election of a single disclosed species of the claimed invention for examination, Applicants hereby elect with traverse to prosecute Species C: Figures 11A - 11C. Claims 1-12, 14-28, 30-36 read on Species C. Note also that Claims 1-5, 7-13, 17-24, 26-29 and 31-36 read on Species B.

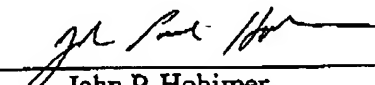
Applicants respectfully traverse the Restriction Requirement since the Office has not provided any reason for insisting on the Restriction Requirement, and has not shown that the above species are independent and distinct inventions. Applicants respectfully submit that a search and examination of the entire application can be made without serious burden on the Office (MPEP 803), especially in view of the large number of generic claims.

It is submitted that this constitutes a complete response to the Requirement for Restriction.

Respectfully submitted,

Dated: October 26, 2006

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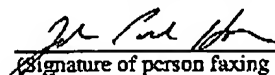
  
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CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by Facsimile on the date shown below to the PTO by Fax at 571-273-8300.

Dated: 10/26/06

John P. Hohimer  
(Type or print name of person faxing paper)

  
(Signature of person faxing paper)